

Attn: Dkt. No. 081356-0224
Rec'd PCT/PTO 16 AUG 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuo KOBAYASHI et al.

Title: METHYLOTROPHIC YEAST PRODUCING MAMMALIAN TYPE SUGAR CHAIN
(As Amended)

Int'l Appln. No: PCT/JP03/05464

Int'l Appln. Filing Date: April 28, 2003

U.S. Serial No. 10/511,436

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of the documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of the documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

Atty. Dkt. No. 081356-0224

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

The documents being cited in the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding international application. A copy of the International Search Report is attached setting forth the portion of these documents considered relevant by the examiner. A copy of the documents cited in the Search Report is not being submitted herewith.

Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 15 August 2005

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/511,436
				Filing Date	Unassigned
				First Named Inventor	KAZUO KOBAYASHI
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Date Submitted: August 16, 2005 <i>(use as many sheets as necessary)</i>				Attorney Docket Number	081356-0224
Sheet	1	of	2		

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Office ³	Number ⁴				
A1		WO 02/00856	A2	Flanders Interuniversity Institute for Biotechnology	1/3/2002		
A2		WO 02/00879	A2	Glycofi INC.	1/3/2002		
A3		WIT 0871460 D	A1	Centro de Investigaciones Biotecnologicas	10/9/1998		
A4		JP 3-3097	A	The Green Cross Corporation	4/7/1997		
A5		WO 00/14259	A1	Kirin Brewery Co., Ltd.	5/10/2000		
A6		WO 92/17595	A1	The Salk Institute Biotechnology/Industrial Associates	10/15/1992		
A7		EP 3140930	A2	ZymoGenetics Inc.	3/3/1983		
A8		EP 173370	A2	Novartis PLC	3/5/1989		
A9		WO 00/78978	A1	ZymoGenetics Inc.	12/28/2000		

NON-PATENT LITERATURE DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.
	A10	International Search Report of PCT/JP03/05464.
	A11	Yasuyoshi SAKAI et al., "The Orotidine-5'-Phosphate Decarboxylase Gene (URA3) of a Methylotrophic Yeast, <i>Candida boidinii</i> : Nucleotide Sequence and Its Expression in <i>Escherichia coli</i> ", Journal of Fermentation and Bioengineering, 1992, Vol. 73 (4), pgs. 255-260.

Examiner Signature	/Nancy Vogel/	Date Considered	06/09/2008
-----------------------	---------------	--------------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted: August 16, 2005

(use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number	10/511,436
Filing Date	Unassigned
First Named Inventor	KAZUO KOBAYASHI
Group Art Unit	Unassigned
Examiner Name	Unassigned

Attorney Docket Number 081356-0224

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
X12	Vina W. YANG et al., "High-efficiency Transformation of Pichia stipitis Based on Its URA 3 Gene and a Homologous Autonomous Replication Sequence, ARS2", Applied and Environmental Microbiology, 1994, Vol. 60(12), pp. 4245-4254.		
A13	Yoshitaka NISHIYA et al., "Primary Structure of ADE1 Gene from Candida utilis", Bioscience Biotechnology and Biochemistry, 1994, Vol. 58(1), pp. 208-210.		
A14	Immaculada C. CASANQ et al., "Cloning and Sequence Analysis of the Pichia pastoris TRP1, IPP1 and HIS 3 Genes", Yeast, 1998, Vol. 14, pp. 861-867.		
A15	Yasuyoshi SAKAI et al., "Directed Mutagenesis in an Asporogenous Methylotrophic Yeast: Cloning, Sequencing and One-Stop Gene Disruption of the 3-Isopropylmalate Dehydrogenase Gene (LEU2) of Canadida boidinii to Develop Doubly Auxotrophic Marker Strains", Journal of Bacteriology, 1992, Vol. 174(18), pp. 5988-5993.		
A16	Xing-Pei ZHANG et al., "LEU2 Gene Homolog in Kluyveromyces Laevis", Yeast 1992, Vol. 8, pp. 801-804.		
A17	Anahit V. AZARYAN et al., "Purification and Characterization of a Paires Basic Residue-specific Yeast Aspartic Protease Encoded by the YAP3 Gene", The Journal of Biological Chemistry, 1993, Vol. 268(16), pp. 11968-11975.		
A18	Hiroto KOMANO et al., "Shared functions in vivo of a glycosyl-phosphatidylinositol-linked aspartyl protease, Mkc7, and the proprotein processing protease Kex2 in yeast", Proc. Natl. Acad. Sci. USA, 1995, Vol. 92, pp. 10752-10756.		
A19	Ed. T. BUURMAN et al., "Molecular analysis of CaMntlp, a mannosyl transferase important for adhesion and virulence of Candida albicans", PROC. Natl. Sci. USA, 1998, Vol. 95, pp. 7670-7675.		
A20	A.M. Ledeboer et al., "Molecular cloning and characterization of a gene coding for methanol oxidase in Hansenula Polymoepha", Nucleic Acids Res. 1985, Vol. 13(9), pp. 3063-3082.		
A21	Yuzo YAMADA et al., "The Phylogenetic Relationships of Methanol-assimilating Yeasts Based on the Partial Sequences of 18S and 25S Ribosomal RNAs: The Proposal of Komagataella Gen. Novembe (Saccromycetaceae)", Vol. 59(3), pp. 439-444.		

Examiner Signature

/Nancy Vogel/

Date Considered

06/09/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.